

District Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

XU LI and BRIGHT LIFE  
INTERNATIONAL INC.,

Plaintiffs,

v.

KRISTI NOEM, *et al.*,<sup>1</sup>

Defendants.

Case No. 2:23-cv-01931-MJP

STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND  
[~~PROPOSED~~] ORDER

Noted for Consideration:  
May 8, 2025

For good cause, Plaintiffs and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to continue to stay these proceedings through July 22, 2025. Plaintiffs bring this litigation pursuant to the Administrative Procedure Act to challenge U.S. Citizenship and Immigration Services (“USCIS”) denial of the Form I-140 filed on Plaintiff Xu Li’s behalf as erroneous, arbitrary and capricious and contrary to law. This case is currently stayed through May 23, 2025. Dkt. No. 20.

<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Defendants substitute Secretary Kristi Noem for Alejandro Mayorkas, and Senior Official Performing the Duties of Director Kika Scott for Ur Mendoza Jaddou.

1 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706  
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to  
3 control the disposition of the causes on its docket with economy of time and effort for itself, for  
4 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.  
5 P. 1.

6 With additional time, this litigation may be resolved in its entirety. As previously reported,  
7 Plaintiffs intend withdraw their pending Form I-140, Petition for Alien Worker, cure deficiencies  
8 and refile a Form I-140. USCIS will consider this new application separately from the Form I-140  
9 at issue in this litigation. Once USCIS issues a decision, Plaintiffs agree to voluntarily dismiss  
10 this litigation.

11 Plaintiffs require additional time to re-file the Form I-140. Therefore, the parties believe  
12 good cause exists to continue to stay this proceeding, to save the parties and the Court from  
13 spending unnecessary time and judicial resources on this matter. Accordingly, the parties jointly  
14 stipulate and request that the Court continue to stay these proceedings through July 22, 2025. The  
15 parties will submit a joint status report on or before July 22, 2025.

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1 DATED this 20th day of May, 2025.

2 Respectfully submitted,

3 TEAL LUTHY MILLER  
Acting United States Attorney

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*Attorneys for Plaintiffs*

10 *Attorneys for Defendants*

11 *I certify that this memorandum contains 294*  
12 *words, in compliance with the Local Civil Rules.*

**[PROPOSED] ORDER**

The Parties having stipulated and agreed, it is hereby ORDERED that this proceeding is stayed until July 22, 2025. The Parties shall file a joint status report on or before July 22, 2025.

DATED this 20th day of May, 2025.



MARSHA J. PECHMAN  
United States District Judge